



**Magistrates' Court
of Victoria**

Practice Direction 9 of 2014

**Alcohol Exclusion Orders
(Sentencing Act 1991)**

Purpose:

To provide directions on how to apply to vary an Alcohol Exclusion Order under section 89DG of the *Sentencing Act 1991*.

Applications to Vary an Alcohol Exclusion Order

- The applicant must file an 'Application to Vary an Alcohol Exclusion Order' (copy attached)
- The following documents are to be attached to the application:

Original order made by Magistrates' Court

1. A copy of the 'Summary of Charges' or 'Statement of Alleged Facts', which was part of the brief originally served on the offender when charged with the relevant offence.

Original order made by County Court or Supreme Court

1. A copy of the order made by the County Court or Supreme Court
2. A copy of the sentencing remarks in the hearing where the order was imposed;
OR

A copy of the 'Summary of Charges' or 'Statement of Alleged Facts', which was part of the brief originally served on the offender when charged with the relevant offence.

- The court will list the application for hearing at least 14 days in advance, unless otherwise directed by the court.
- The applicant must serve a copy of the application on the respondent to the application as soon as is practicable after the application was filed with the court.

This Practice Direction takes effect on November 3, 2014

Peter Lauritsen
Chief Magistrate

Date: 24 October 2014